



BOARD OF TRUSTEES (BOT)

TOWN OF MESILLA

REGULAR MEETING

MONDAY, DECEMBER 12, 2022 – 6:00 PM

MINUTES

TRUSTEES: Nora Barraza, Mayor
Stephanie Johnson-Burick, Mayor Pro Tem (ABSENT)
Biviana Cadena, Trustee
Veronica Garcia, Trustee
Adrianna Merrick, Trustee

STAFF: Rani Bush, Town Clerk/Treasurer
Ben Azcarate, Lieutenant
Kevin Hoban, Fire Chief
Rod McGillivray, Public Works Director
Enrique Salas, Marshal
Gloria Maya, Recorder

PUBLIC:

Mary F Lucero	Andrea Bryan
Kenneth Magoon	Stefan Schaefer
Greg Lester	Catherine Walkinshaw
Jeanne Dundell	Erik K
Chris Schaefer	Steve Robinson
Bill Cook	Janice Cook
Trina Witter	Ralph Geck
Paul Blevins	Stewart Oberman
Karena Oberman	S Krueger
Andy Embury	Russell Hernandez
Crystal Davis-Whited	Greg Whited
Phillip Born	Mary H Ratje
Kathy Telgard	Edith W
Rosemary McLoughlin	Ruben Geck

1. PLEDGE OF ALLEGIANCE

Mayor Barraza led the Pledge of Allegiance.

2. ROLL CALL & DETERMINATION OF A QUORUM

Mayor Barraza read the statement from Mayor Pro Tem Johnson-Burick.

Roll Call.

Present: Mayor Barraza, Trustee Cadena, Trustee Garcia, Trustee Merrick.

Mayor Barraza introduced Ms. Jennifer Ortiz, El Paso Electric representative.

Ms. Ortiz stated she is available to serve the community in here new capacity.

3. CHANGES TO THE AGENDA & APPROVAL

Motion: To approve agenda, Moved by Trustee Merrick, Seconded by Trustee Garcia.

Roll Call Vote: Motion passed (**summary:** Yes =3).

Trustee Cadena Yes

Trustee Garcia Yes

Trustee Merrick Yes

4. PUBLIC INPUT – The public is invited to address the Board as allowed by the chair.

Mr. Schaefer stated his concern with the burglaries that are happening in Mesilla and the lack of patrol being done.

Mayor Barraza asked Mr. Schaefer to submit his concerns in writing to her. She can schedule a meeting to discuss these concerns further.

Mr. C Schaefer stated the officers are not patrolling regularly. Are the marshal's responding to other calls for other entities.

Mr. Hernandez stated in 2019 he submitted the application and fees required to have a VRBO in the rural area. STR are not allowed in the rural area, but the applicant can submit for a Special Use Permit. Recommends revisiting the code which is outdated.

Ms. Krueger recommended that the town attorney be present during the Executive Sessions.

Ms. Randell stated it would be inappropriate to have a tower in the park. She asked that they reconsider and find a more appropriate location.

Mr. Born stated he opposes the proposed location of the cell tower. We need to preserve Mesilla's history.

Mr. Robinson read correspondence

Mr. Lester read correspondence

Mr. Magoon read correspondence

Ms. Walkinshaw reviewed articles provided to the board and asked that they consider a better location.

Ms. Witter stated we were told that the process would be followed. Asked about an exception to following the code.

Mr. Blevins stated there needs to be a better place for the cell tower. His wife submitted correspondence to the board.

Ms. Lucero stated the tower is needed. She will continue to use the park. She has done research and the statements are exaggerated and false advertising. She is more concerned with the pesticides which no one complains about. People have had concerns due to the lack of service in the area which is why this is being discussed.

Ms. Ratje stated she respects what Ms. Lucero, who is the mayor's sister, has said. She and her friend have concerns with the towers. The historic preservation will be affected. The tower is ugly and in appropriate.

5. PUBLIC HEARING

Mayor Barraza asked that they postpone the Public Hearing and Appeal Cases until the next meeting.

Motion: To postpone the Public Hearing until Mr. Mitchell can be present, Moved by Trustee Merrick, Seconded by Trustee Garcia.

Trustee Garcia asked if we would meet the time limit.

Mayor Barraza responded we have given him the opportunity to present his case.

Roll Call Vote: Motion passed (summary: Yes =3).

Trustee Cadena Yes

Trustee Garcia Yes

Trustee Merrick Yes

APPEAL CASES

- a. **STR #1034** – 1365 Snow Rd submitted by Mitchell Enterprises LLC for a Short-Term Rental at this address, **Zoned: Rural Farm (RF) Postponed**
- b. **STR #1035** – 1363 Snow Rd submitted by Mitchell Enterprises LLC for a Short-Term Rental at this address, **Zoned: Rural Farm (RF) Postponed**

6. **APPROVAL OF CONSENT AGENDA:** (The Board will be asked to approve by one motion the following items of recurring or routine business. The Consent Agenda is marked with an asterisk *)

Motion: To approve consent agenda, Moved by Trustee Garcia, Seconded by Trustee Merrick.

Roll Call Vote: Motion passed (summary: Yes =3).

Trustee Cadena Yes

Trustee Garcia Yes

Trustee Merrick Yes

- a) ***BOT MINUTES** - Minutes of Regular Meeting, November 28, 2022. *Approved by consent agenda*
- b) ***Resolution 2021-30** - A resolution establishing dates for holiday observance for the Town of Mesilla in 2023. *Approved by consent agenda*

7. EXECUTIVE SESSION

Motion: To enter Executive Session, Moved by Trustee Merrick, Seconded by Trustee Garcia.

Roll Call Vote: Motion passed (summary: Yes =3).

Trustee Cadena Yes

Trustee Garcia Yes

Trustee Merrick Yes

Entered Executive Session at 6:26 p.m.

- a) Discussion of limited personnel matters pursuant to NMSA 1978, Section 10-15-1(H)(2) – Admin/Finance Department & Fire Department.

Motion: To enter Regular Meeting; no action taken, Moved by Trustee Merrick, Seconded by Trustee Garcia.

Roll Call Vote: Motion passed (summary: Yes =3).

Trustee Cadena Yes

Trustee Garcia Yes

Trustee Merrick Yes

Entered Regular Meeting at 6:28 p.m.

8. NEW BUSINESS

- a) **Approval:** Administrative File Clerk Hire

Mayor Barraza recommended Ms. Summer Estrada Godfrey.

Motion: To approve Administrative File Clerk, Moved by Trustee Garcia, Seconded by Trustee Merrick.

Roll Call Vote: Motion passed (summary: Yes =3).

Trustee Cadena Yes

Trustee Garcia Yes

Trustee Merrick Yes

- b) **Approval:** Job Description – Fire Chief

Motion: To approve Job Description – Fire Chief, Moved by Trustee Merrick, Seconded by Trustee Garcia.

Roll Call Vote: Motion passed (summary: Yes =3).

Trustee Cadena Yes

Trustee Garcia Yes

Trustee Merrick Yes

- c) **Approval:** FY23 Volunteer Fire Assistance Program Fiscal High Risk Acceptance Letter
Fire Chief Hoban stated we were award \$20,000 for protective clothing, fire gear, weather station, and tools. The \$2,000 match will be through the Fire Fund.

Motion: To approve agenda, Moved by Trustee Garcia, Seconded by Trustee Merrick.

Roll Call Vote: Motion passed (summary: Yes =3).

Trustee Cadena Yes

Trustee Garcia Yes

Trustee Merrick Yes

9. Approval: Town Match for LGRF Control No.# HWL 100525 for Calle de Cura

Mr. McGillivray stated there is a chance that the match amount may not be waived. There is a \$28,000 short fall: no way of getting out of it.

Mayor Barraza stated the town does have the money for the match; documentation is in the packet.

Trustee Merrick asked why it would be denied.

Mayor Barraza responded DOT had over a million dollars in requests. DOT has been very generous to Mesilla in past years. We do not want to risk our credibility and residents are looking forward to the project being completed.

Trustee Garcia asked if the project has been started.

Mr. McGillivray responded we are agreeing to the match, 25%, and the design is started when we get the agreement.

Motion: To approve agenda, Moved by Trustee Garcia, Seconded by Trustee Merrick

Roll Call Vote: Motion passed (**summary:** Yes =3).

Trustee Cadena Yes

Trustee Garcia Yes

Trustee Merrick Yes

10. BOARD OF TRUSTEE COMMITTEE REPORTS

Trustee Garcia: meeting was postponed due to lack of quorum. Zoom meeting Friday, 3:00 p.m.

Trustee Merrick: MPO Wednesday, December 14th

Mayor Barraza: SCCOG meeting; MPO Wednesday, December 14th

11. BOARD OF TRUSTEE/STAFF COMMENTS

(Written staff reports included in packet)

Marshal Salas stated Shop by the Cop helped 230 children, participated in the Toy Run, shield came in. It has been an honor to work side by side with Fire Chief Hoban.

Ms. Bush stated the court report is included in their packet. Thanked Ms. Sellers for the great job on tree lighting event and the Thanksgiving Food Drive. Reviewed the plan to appoint new Planning and Zoning commissioners and asked that interested individuals submit a letter of interest by December 15th.

Trustee Garcia stated the town attorney participated by Zoom at the previous Executive Session. The lights are beautiful and bright. She would like to hold off on applying for La Colonias funding due to making the match amount and the number of projects there currently are. She has received the emails; she understands they are trying to preserve Mesilla. She will not be threatened by residents. The board cannot talk about it as we are in litigation. If they meet the ordinance we need to move forward.

Trustee Cadena stated she appreciates the interest the residents have expressed. Litigation makes things difficult for us. She is available to the residents. Thanked staff for the nice events. We must work together to make things move forward.

Trustee Merrick stated the events have been very nice. She is here to help the residents, will continue to due her due diligence in educating herself as well as the residents. Her obligation is to follow the ordinances. She enjoys talking with everyone to find an understanding, correct errors. Encourages everyone to attend the meetings, look at the agenda, read the minutes. Apologized to the residents due to the change in trash days. We are here to help you and ensure transparency.

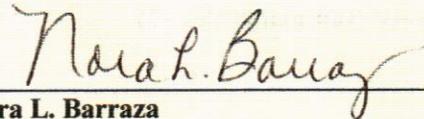
Mayor Barraza congratulated Ms. Bush who participated in an International 10K Run. Fire Chief Hoban is retiring on December 31st. She is trying to find a source to update our ordinances especially Chapter 18. Wilson and Company informed her that they would submit an application for the Town of Mesilla as there is \$50,000 available for updates. The events have been very successful. She understands how Trustee Garcia feels. People are being given false information. Please share the correct information. The Public Meeting was advertised. We are transparent as we have nothing to hide. She appreciates everyone's comments. There are currently ten projects. They are looking at holding off on La Colonias funding. It is at her discretion to have an attorney present at the Executive Sessions. Ms. Lucero is her sister and lives close to the Public Safety Building, and she has every right to comment.

12. ADJOURNMENT

The Town of Mesilla Trustees unanimously agreed to adjourn the meeting. (Summary: Yes-4).

MEETING ADJOURNED AT 7:03 P.M.

APPROVED THIS 9th DAY OF JANUARY, 2023.



Nora L. Barraza
Mayor

ATTEST:



Rani Bush
Town Clerk/Treasurer

